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October 18, 2019

**BY ECF**

Honorable Ronnie Abrams  
United States District Judge  
Southern District of New York  
New York, New York 10007

**Re: United States v. Jesus Wilfredo Encarnacion  
19 Cr. 118 (RA)**

Dear Judge Abrams,

I was informed by the government this afternoon that their mental health expert intends to meet with Mr. Encarnacion next week (though they declined to disclose the exact date). I had previously informed the government that I objected to any meeting with my client outside my presence, based on Mr. Encarnacion's statutory and constitutional rights. The government informed me today that they intend to proceed with an evaluation outside my presence. We respectfully request that the Court set a schedule for legal briefing regarding this matter and that any evaluation be postponed until the conclusion of that briefing and the Court's decision on the issue.

Respectfully submitted,

/s/ Sarah Baumgartel  
Sarah Baumgartel, Esq.  
Assistant Federal Defender  
Tel.: (212) 417-8772

cc: AUSA Kimberly Ravener (by ECF)  
AUSA David Denton (by ECF)